IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 18733/996

In re patent application of

Shui-on LEUNG et al.

Serial No. 09/741,843

Filed: December 22, 2000

Group Art Unit: 1644

Examiner: R. Schwadron

For: IMMUNOCONJUGATES AND HUMANIZED ANTIBODIES SPECIFIC FOR B-CELL LYMPHOMA AND LEUKEMIA CELLS

SUPPLEMENT TO THIRD PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application on the merits, Applicants respectfully request consideration of the enclosed documents.

Enclosed is the original of the third preliminary amendment that was faxed to the Examiner on December 24, 2002. This original contains color versions of the power point slides that support applicants' arguments for correction of the sequences. Also attached are documents that are referenced in the third preliminary amendment. These documents include the issued parent, U.S. Patent No. 5,789, 554; Kabat *et al.*, "Sequences of Proteins Immunological Interest," 5th Ed. (1991), cited in the '554 patent in column 11, lines 46-49, as well as an internet disclosure of "Antibody Structure and Sequence Information." These publications show that "Phe" is always the first amino acid in the FR4 of the light chain variable region. See the highlighted portions of these documents. Additional referenced documents in this amendment that are enclosed herein are Orlandi *et al. Proc. Natl. Acad. Sci., USA.*, 86, pp. 3833-3837 (1989), Reichmann *et al., Nature* 332 , pp. 323-327 (1988) and Hieter *et al., Cell*, 22, pp. 197-207 (1980).

Applicants also enclose two declarations in support of the deposit of the two expression vectors, hLL2pKh and hLL2pG1g, discussed on page 18 of the third preliminary amendment. Dr. Hansen's declaration provides evidence that these vectors were maintained at Immunomedics, Inc. from prior to the filing date of the original parent application, U.S. Serial No. 08/289,576 on August

12, 1994 until their deposit at the American Type Culture Collection (ATCC) on October 8, 2002. Dr. Goldenberg's declaration provides the necessary assurances required by the U.S. Patent Office in regard to these deposited expression vectors. These deposited vectors provide further support to correct the DNA and amino acid sequences in the present application because these two expression vectors inherently contain the correct DNA sequences to which applicants are requesting correction.

Applicants have provided in the third preliminary amendment and in this supplemental response, the evidence necessary to support the correction of the DNA and corresponding amino acid sequences in the specification, claims, figures and sequence listing of the present application.

Accordingly, favorable examination on the merits is requested. In the event that any issues remain, the Examiner is invited to telephone the undersigned with any proposal to expedite prosecution.

Respectfully submitted,

January 28, 2003
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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

Courtesy Copy

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THIRD PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application on the merits, Applicants respectfully request the amendment of the application as follows:

IN THE CLAIMS:

Kindly cancel claims 25-43 without prejudice or disclaimer and add the following claims:

44. (New) An isolated polynucleotide encoding the amino acid sequence of a light chain variable region of an LL2 monoclonal antibody (mAb) or antigen binding fragment thereof comprising at least one complementarity-determining region (CDR) of the light chain of a murine LL2 (mLL2) mAb, wherein CDR1 comprises amino acids 24 to 40 of SEQ ID NO: 2, CDR2 comprises amino acids 56 to 62 of SEQ ID NO: 2 or CDR3 comprises 95 to 102 of SEQ ID NO: 2, wherein the LL2 mAb or antigen-binding fragment thereof retains the immunoreactivity of the mLL2.

45. (New) The isolated polynucleotide of claim 44, wherein said amino acid sequence encoding said light chain variable region further comprises framework regions (FRs) of a light chain variable region of atne or more human antibody.

46. (New) The isolated polynucleotide of claim 45, wherein said FRs comprise at least one amino acid substitution.